

REMARKS

Claims 1-11 remain pending in this application. Claims 1, 6, and 11 are independent. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner objected to claims 2, 5, 7, and 10. The Examiner further withdrew his rejections set forth in the prior Official Action and issued new grounds of rejection for claim 6 under 35 U.S.C. § 102(e) as being anticipated by *Hyde-Thomson et al.* (USP 6,477,494); claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over *Yamada* (USP 6,411,931) in view of *Gasper et al.* (USP 5,278,943) and further in view of *Hyde-Thomson et al.*; and claims 7-11 under 35 U.S.C. § 103(a) as being unpatentable over *Hyde-Thomson et al.* in view of *Gasper et al.* Applicant respectfully traverses these rejections.

**Claim Objections**

In response to the Examiner's objection to claims 2, 5, 7, and 10, by this Amendment, Applicant has amended claims 2, 4, 7, and 9 to address the Examiner's objections. Based upon these amendments, it is respectfully requested that the outstanding objections be withdrawn.

**Claim Rejections - 35 U.S.C. § 102 - *Hyde-Thomson et al.***

In support of the Examiner's rejection of claim 6, the Examiner asserts *Hyde-Thomson et al.* teaches an inserting function

for inserting character setting information which specifies a character at the time of vocally reproducing mail text, as a text letter string in the mail text, citing to col. 3, lines 3-20. Applicant respectfully disagrees with the Examiner's characterization of this reference.

We note that the disclosure of *Hyde-Thomson et al.* is directed to unified messaging system with voice messaging and text messaging using text-to-speech conversion. Specifically, *Hyde-Thomson et al.* discloses at col. 3, lines 3-20 as follows:

The trigraph analyzer examines a text sequence, and performs language identification operations by first determining the occurrence frequencies of sequential 3-character combinations within the text, and then comparing the determined occurrence frequencies with reference occurrence statistics for various languages. The set of reference occurrence statistics associated with a given language are stored together as a corecurrence library. The trigraph analyzer determines a closest match between the determined occurrence frequencies and a particular corecurrence library, and returns a corresponding language identifier and likelihood value to the message inquiry unit.

In contrast, the present invention set forth in claim 6 recites, *inter alia*, an electronic mail device including an inserting function for inserting character setting information, which specify a character at the time of vocally reproducing mail text, as a text letter string in the mail text.

As noted above, *Hyde-Thomson et al.* teaches examining the text content of an e-mail using a trigraph analyzer and reference occurrence statistics to determine a possible language. There is no

teaching or suggestion in *Hyde Thomson et al.* that is directed to inserting character setting information in an e-mail, as claimed. As such, *Hyde-Thomson et al.* fails to anticipate the claimed invention. As such, Applicant respectfully requests that the outstanding rejection be withdrawn.

**Claim Rejections - 35 U.S.C. § 103**

The Examiner rejected claim 1 under 35 U.S.C. § 103(a) as being unpatentable over *Yamada* in view of *Gasper et al.* and *Hyde-Thomson et al.* In support of the Examiner's rejection of this claim, the Examiner admits that *Yamada* does not teach character setting information inserted as a text letter string in the mail text. The Examiner relies on *Hyde-Thomson et al.* to cure the deficiencies of the teachings of *Yamada*, asserting *Hyde-Thomson et al.* teaches a character string identified with a particular speech synthesis setting, citing again to col. 3, lines 3-20.

As noted above, *Hyde-Thomson et al.* fails to teach or suggest this claim element. As *Gasper et al.* additionally fails to cure the deficiencies of the teachings of *Yamada*, the combination of references as cited by the Examiner fails to render claim 1 obvious. As the Examiner refers to claim 6 in support of his rejection of claim 11, claim 11 is not obvious over *Hyde-Thomson et al.* and *Gasper et al.* for the reasons noted above. As such, it is respectfully requested that the outstanding rejection be withdrawn.

Applicant is confused by the Examiner's rejection of claim 11. In support of the Examiner's rejection of claim 11, the Examiner asserts that claim 11 recites subject matter similar to claim 6 and thus rejects claim 11 for the same reasons claim 6 is rejected. However, claim 6 was rejected under 35 U.S.C. § 102 as being anticipated by *Hyde-Thomson et al.* As such, Applicant is confused as to whether claim 11 is rejected under 35 U.S.C. § 102 or § 103. As noted above, *Hyde-Thomson et al.* fails to anticipate the invention as set forth in claim 6. If the Examiner is rejecting claim 11 under 35 U.S.C. § 103, Applicant respectfully requests the Examiner provide a proper *prima facie* argument as to how the claim is rendered obvious by the asserted combination of references in a non-final Official Action.

#### Conclusion

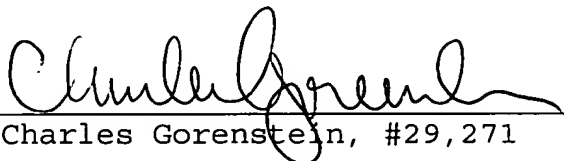
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Charles Gorenstein, #29,271

  
CG/CMV/jdm  
1907-0198P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

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